



# CITY OF LODI

PUBLIC WORKS DEPARTMENT

## COUNCIL COMMUNICATION

TO: City Council

FROM: City Manager

MEETING DATE: September 28, 1988

AGENDA TITLE: Public Hearing to Consider Request by Ted Katzakian, Agent for The Apple Orchard Subdivision Which is Bounded by Tokay Street on the North, Cochran Road on the South, and Lower Sacramento Road on the West, to Amend the Specific Plan for Lower Sacramento Road, Kettleman Lane to Lodi Avenue (Discussion and Appropriate Action)

RECOMMENDED ACTION: That the City Council consider adopting an ordinance for the purpose of modifying the Specific Plan (Resolution No. 3665) for the purpose of approving variances to the Specific Plan from time to time by motion action of the City Council, and consider allowing variances in fence location, fence type, sidewalk width, and fence maintenance responsibilities on the Lower Sacramento Road fence in the Apple Orchard subdivision.

BACKGROUND INFORMATION: The Planning Commission's approval of the tentative map included conditions relative to fencing on Lower Sacramento Road. These conditions are shown in the attached correspondence dated November 24, 1987 and are as follows:

- "11. The fencing on Lower Sacramento and Cochran Road to meet the approval of the Site Plan and Architectural Review Committee and if the approved fence is different than what is shown on the Lower Sacramento Road Specific Plan, the City Council should amend the Specific Plan."
- "15. That the Homeowners' Association maintain the Cochran Road fencing and landscaping with the Lower Sacramento Road fence publicly maintained."

The actual fence type had not yet been determined and it was assumed that the construction and maintainability of the fencing on Lower Sacramento Road would be equivalent to what was shown on the Specific Plan.

At the time that the final map and offsite improvement plans were approved by the City Council, the type of fence construction had still not yet been determined. It was not until the Site Plan and Architectural Review Committee submittal in August that the fence details and proposed landscaping was known. Since the proposed fencing, sidewalk, and alignment varies from the adopted Specific Plan, these changes are being brought to the City Council for approval.

APPROVED:

  
THOMAS A. PETERSON, City Manager

FILE NO.

The existing Specific Plan for Lower Sacramento Road shows a slumpstone and grapestake fence similar to that on Hutchins Street and Ham Lane south of Kettleman Lane. The attached Exhibits A-1 and A-2 (Note No. 3) show this requirement. The fence type being proposed is identical to the one on the west side of Sage Way, north of Century Boulevard. See attached Exhibit C. This proposed fencing is of dark red brick, 7' high, and is only 1 brick thick, rather than the 6' 2" X 2" grapestake with slumpstone pilasters as required by the Specific Plan.

The proposed fence location is as shown on the attached Exhibit B and provides for a sidewalk width of 5' with a minimum 4½' of landscaping between the back of the sidewalk and the proposed fence location. The Specific Plan calls for a 7' sidewalk in residential reverse-frontage areas with the back of the sidewalk at the fence line. It is felt that the 5' sidewalk with landscaping and red brick fence will aesthetically be an improvement over what is required by the Specific Plan. At the present time, there are a number of different fence types on Lower Sacramento Road. From north to south, they are as follows:

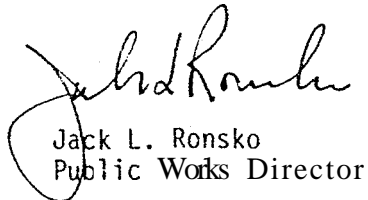
<u>Location</u>	<u>Type of Fence</u>	<u>Maintained By</u>
Parkview Terrace, immediately north of Lodi Avenue	Dark red brick	Property owner
Leland Acres, Lodi Avenue to 600' South	Undulating brick, one brick thick	Property owner
Residential area, south of Leland Acres	No fencing	
Apple Orchard Subdivision, Tokay Street to Cochran Road	Proposed dark red brick, one brick thick	Property owner*
Apartment complex, immediately south of Cochran Road	No fencing, landscaped berm	
Doctor's Hospital, North of Vine Street	Slumpstone retaining wall	Property owner
South of Vine Street	Undeveloped	

\*It is recommended that the proposed fence be maintained by the homeowners' association unless the developer can provide structural calculations for the proposed fence.

On Leland Acres, the property owners are responsible for fence maintenance since their fence is only one brick thick and structural calculations could not be provided.

The Public Works and Community Development Departments recommend that the City Council introduce the proposed ordinance attached as Exhibit D and approve the variances to the Specific Plan for the Apple Orchard development. These variations include the following:

1. Five-foot sidewalk with a landscaped area between sidewalk and fence. Landscaping to be maintained **by** homeowners' association.
2. Seven-foot dark red brick fence, one brick thick, as shown on Exhibit C.
3. Fence to be maintained by homeowners' association unless structural calculations can be provided for proposed fence.
4. Location of fence to be as shown on Exhibit B.



Jack L. Ronsko  
Public Works Director

JLR/mt

Attachments

cc: Apple Orchard, Attention: Ted Katzakian  
Baumbach & Piazza



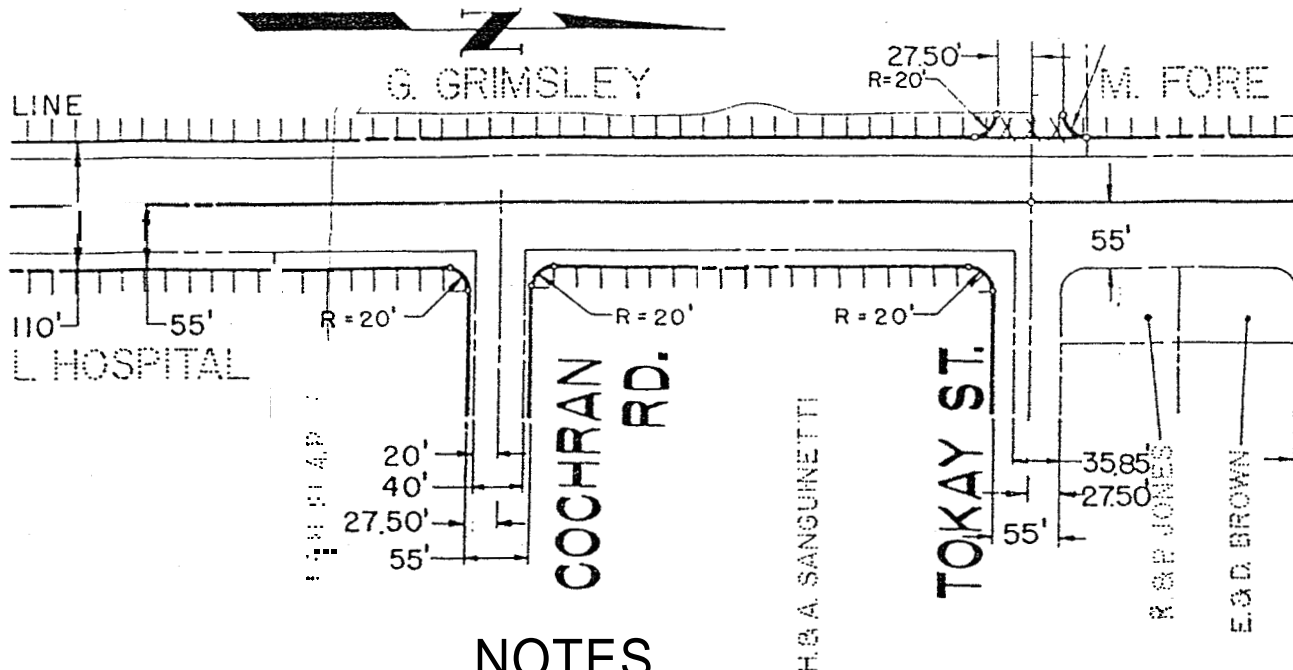


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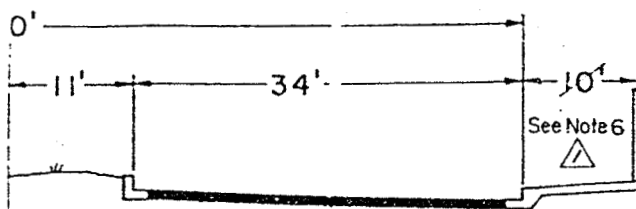
SPECIFIC PLAN

LOWER SACRAMENTO ROAD



## NOTES

1. Property ownership as of June 26, 1972.
2. Existing access will remain until such time as alternate access is available.
3. Fence is similar to South Hutchins Street Specific Plan.  
(See City of Lodi drawing 71D58 and 71D59.)
4. 1982 revisions include Note 4 thru 8 and items shown:
5. Approved center median openings: Kettleman Lane, Vine St., & Lodi Ave.
6. Sidewalk width to be 5 ft. in residential areas and 7 ft. in commercial institutional and reverse frontage single family residential areas.
7. Fence at R/W adjacent to reverse frontage single family residential areas only.
8. Fencing & corner cut-offs at intersections shall be approved by the Public Works Department.



R/W

## SECTION

Drawn	No.	Revised	By	Approved
Checked				
Date				

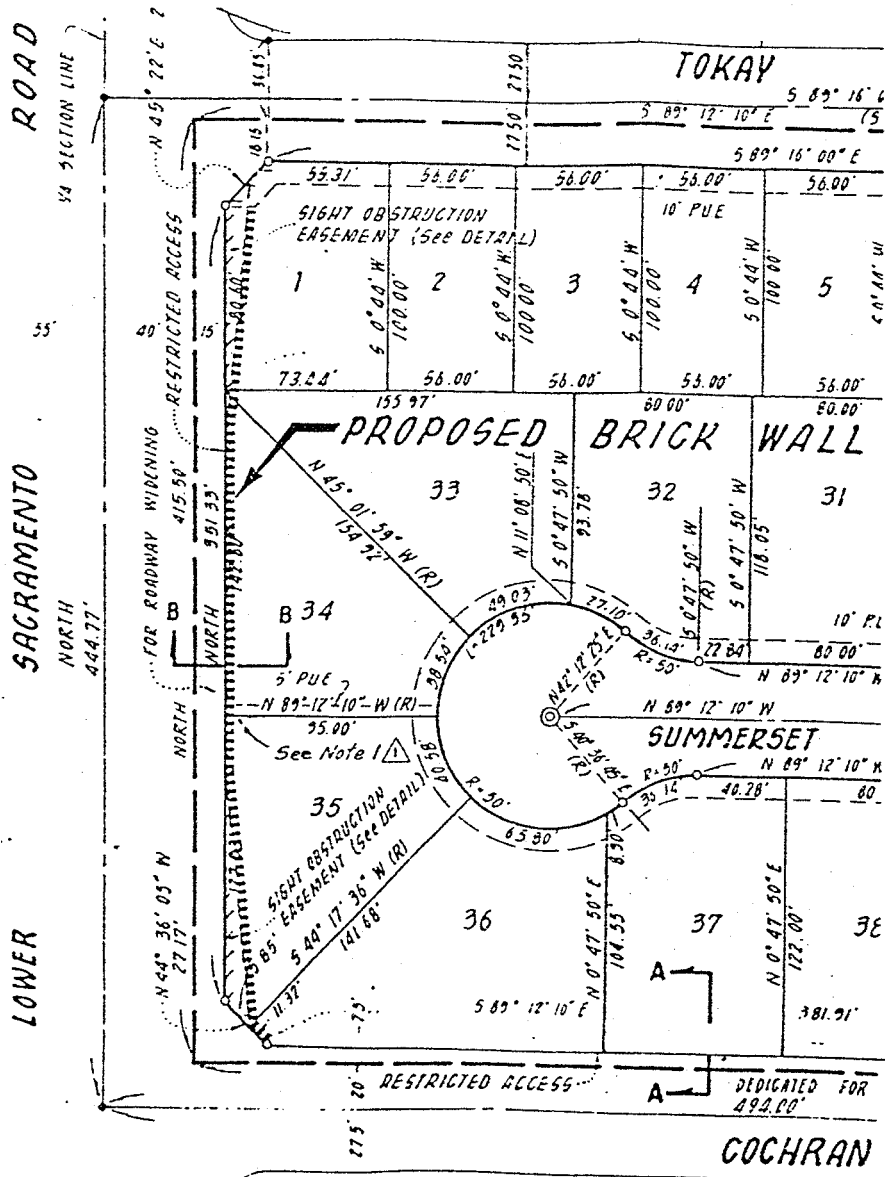
Public Works Director  
RCE 17509

Exhibit A-2



# CITY OF LODI

PUBLIC WORKS DEPARTMENT



Drawn	No	Revised	By	Approved By
Checked				
Date				

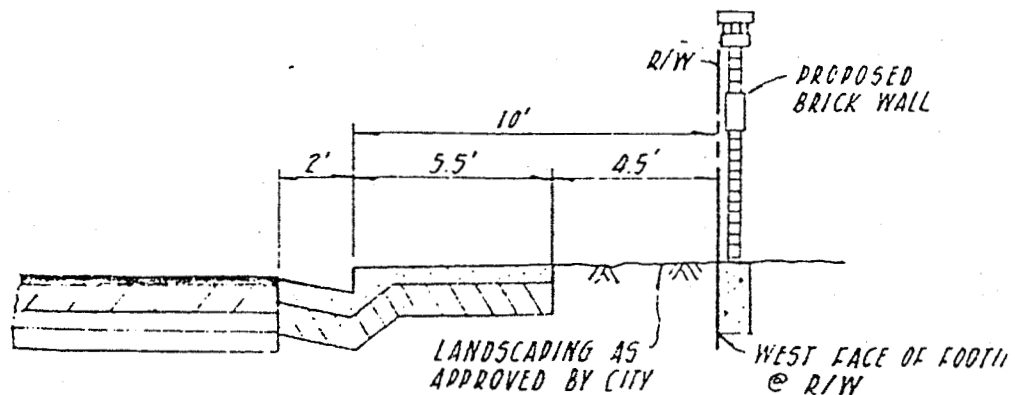
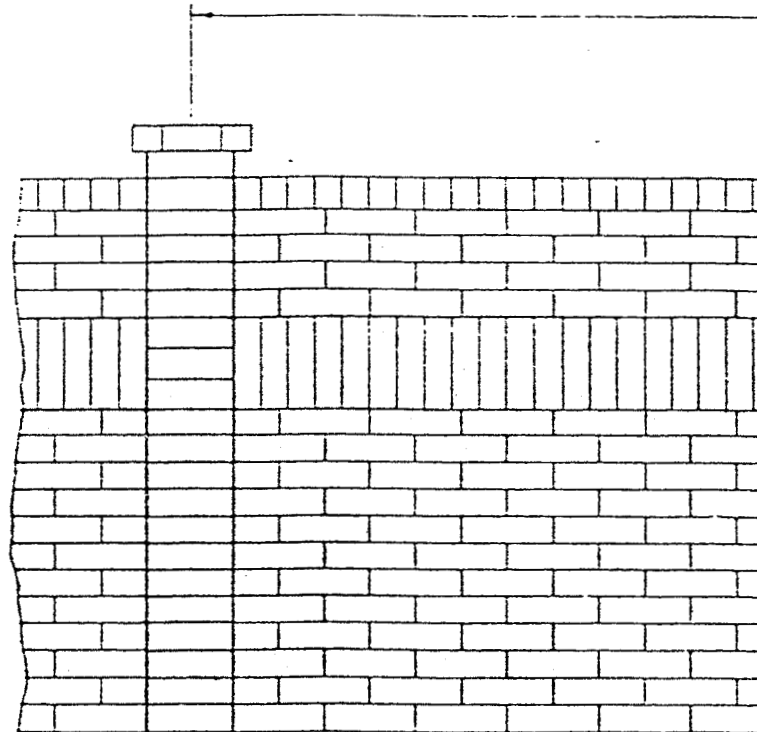
Public Works Director  
RCE 17509

Exhibit B



# CITY OF LODI

PUBLIC WORKS DEPARTMENT



## SECTION B-B

LOWER SACRAMENTO ROAD

Drawn	No	Revised	By	Approved By
Checked				
Date				Public Works Director RCE 17509

Exhibit C

ORDINANCE NO.

AN ORDINANCE AMENDING THE SPECIFIC PLAN OF LOWER SACRAMENTO ROAD  
BETWEEN KETTLEMAN LANE AND LODI AVENUE, LODI

The City Council of the City of Lodi does ordain as follows:

Section 1. Authority - Pursuant to the provisions of Chapter 3 (commencing with Section 65450) of Title 7 of the Government Code of the State of California, and pursuant to that certain General Plan, as amended, for the City of Lodi, adopted by the City Council, Resolution No. 1885, on October 5, 1955, the Specific Plan for Lower Sacramento Road between Kettleman Lane and Lodi Avenue, Lodi, as adopted by Resolution No. 3665, on August 15, 1972, is hereby amended.

Section 2. Purpose - It is hereby declared that this Specific Plan is adopted to provide for and protect the health, safety, and convenience and welfare of the citizens of the City of Lodi.

Section 3. The City Council may, by motion action, from time to time vary the fencing and sidewalk details as displayed on Drawing 72070 of the City of Lodi.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as such conflict may exist.

~~Section 5.~~ This Ordinance shall be published one time in the "Lodi News Sentinel", a newspaper of general circulation, printed and published in the City of Lodi, and shall be in force and take effect 30 days from and after its passage and approval.

Approved this 28th day of September, 1988

JAMES W. PINKERTON JR., Mayor

*Exhibit D*



Attest:

Alice M. Reimche  
City Clerk

State of California  
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. \_\_\_\_ was introduced at a regular adjourned meeting of the City Council of the City of Lodi held September 28, 1988, and **was** thereafter passed, adopted, and ordered to print at a regular meeting of said Council held \_\_\_\_\_, **by** the following vote:

**Ayes:** Councilmembers

**Noes:** Councilmembers

**Absent:** Councilmembers

**Abstain:** Councilmembers

I further certify that Ordinance No. \_\_\_\_ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

Alice M. Reimche  
City Clerk

Dated: \_\_\_\_\_

NOTICE OF PUBLIC HEARING

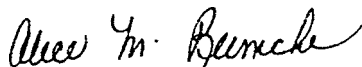
TO CONSIDER THE REQUEST OF TED KATZAKIAN, AGENT FOR THE APPLE ORCHARD  
SUBDIVISION, WHICH IS BOUNDED BY TOKAY STREET ON THE NORTH, COCHRAN  
ROAD ON THE SOUTH, AND LONER SACRAMENTO ROAD ON THE WEST, TO AMEND  
THE SPECIFIC PLAN FOR LONER SACRAMENTO ROAD, KETTLEMAN LANE  
TO LODI AVENUE

NOTICE IS HEREBY GIVEN that on Wednesday, September 28, 1988 at  
the hour of 7:30 pm., or as soon thereafter as the matter may be heard,  
the Lodi City Council will conduct a public hearing to consider the  
request of Ted Katzakian, agent for the Apple Orchard Subdivision,  
which is bounded by Tokay Street on the north, Cochran Road on the  
south, and Lower Sacramento Road on the west, to amend the Specific  
Plan for Lower Sacramento Road, Kettleman Lane to Lodi Avenue.

Information regarding this item may be obtained in the office of the  
Community Development Director at 221 West Pine Street, Lodi,  
California. All interested persons are invited to present their views  
and comments on this matter. Written statements may be filed with the  
City Clerk at any time prior to the hearing scheduled herein and oral  
statements may be made at said hearing.

If you challenge the subject matter in court you may be limited to  
raising only those issues you or someone else raised at the Public  
Hearing described in this notice or in written correspondence delivered  
to the City Clerk, 221 West Pine Street, Lodi, California, at or prior  
to, the Public Hearing.

By Order Of the Lodi City Council:

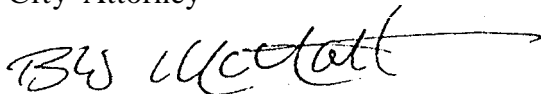


Alice M. Reimcke  
City Clerk

Dated: September 7, 1988

Approved as to form:

Bobby W. McNatt  
City Attorney



PH/45  
TXTA. 02D